

FIFRA Case Tracking Record

2013-044

Case Closed? ☒

INSPECTION INFORMATION

Inspection Date:	3/18/2013	Inspector:	Gjevre
Case Type:	INSP	Region/State/Tribe:	CR
Investigation Type:	NUF	State File Number:	NEZ13FOL01
Reason:	FCP	<input checked="" type="checkbox"/> Federal Credentials	
Receipt Date:	5/16/2013	<input type="checkbox"/> Federal Facility	
EPA Est No:			
File Name:	Hayden Pest Control		
Street Address:	PO Box 1921		
City:	Lewiston	State: ID	Zip: 83501
Insp Remarks:	Drift Complaint- Closeout		

CASE REVIEW INFORMATION

Case Reviewer:	Terada
Start Date:	6/18/2013
Completion Date:	6/26/2013
Violations:	-

ENFORCEMENT ACTION INFORMATION

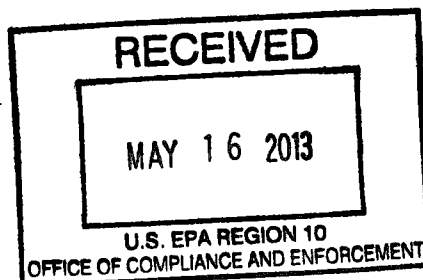
Action Type:	Closeout	Final Penalty:
Proposed Penalty:		
Docket Number:		
EPA Attorney:		
Date Action Taken:		
Date Response Due:		
Date Response Rec:		

REFERRAL INFORMATION

Referral Date:	
Referral Type:	
Origin:	Destination:
Referred By:	
Possible Violations:	
Referral Follow-Up:	

REMARKS

To: Chad Schulze, Compliance Coordinator
EPA Region 10 Pesticides Unit
1200 Sixth Ave - Suite 900
Seattle WA 98101
206-553-0505



From: Eric Gjevre, Tribal Inspector
Coeur d'Alene Tribe
Natural Resource Department
Tribal Pesticide Enforcement Circuit Rider Program
P.O. Box 408
402 Annie Antelope Road
Plummer, ID 83851
208-686-5507

Date: May 13, 2013

Subject: Julie Simpson / Hayden Pest Control
Nez Perce Reservation, Lapwai, ID
Follow up Inspection

Case Number NEZ 13 FOL 01

Inspection Information:

Inspecting Agency: Coeur d'Alene Tribe Natural Resource Department
EPA Region 10 Tribal Pesticide Enforcement Circuit Rider Program

EPA inspector: Eric Gjevre, Tribal Inspector / Circuit Rider
EPA Inspector # 2627

Location: Nez Perce Reservation, (Nez Perce County)
Lapwai, ID

Inspection Type: Follow up Inspection

Date / Time of Inspection: March 18, 2013
5:30 PM

Pesticides / products involved:	Esplanade 200SC	EPA Reg # 432-1516
	Honcho Plus	EPA Reg # 524-454
	Milestone	EPA Reg # 62719-519

Site and Contact Information:

Applicator: Travis Ulrich
Hayden Pest Control
P.O. Box 1921
Lewiston, ID 83501
208-743-2424

Pre-Inspection / Background:

On March 1, 2013 I received a phone message from tribal staff contact Julie Simpson, Nez Perce Tribe ERWM.

Julie was concerned about spray applications in the area of the athletic track and field in Lapwai, Idaho **see map attachment # 1**. She observed this activity during her lunch time break/walk around the track. Julie Simpson followed-up with an e-mail **see attachment # 2a**, and photographs **see attachment # 2b & 2c** showing what she observed. She also provided windspeed data from the Nez Perce Tribe weather station in Lapwai, Idaho. **see attachment # 3**.

The application area is located within the exterior boundary of the Nez Perce Reservation.

I followed up and conducted a use inspection with Hayden Pest Control. I called Travis Ulrich, owner of Hayden Pest Control and we agreed to meet in Lewiston, Idaho on March 18, 2013 - to complete a use inspection for application conducted at Lapwai, Idaho - on the Nez Perce Reservation.

CONDUCT OF INSPECTION:

Follow up inspection interview w/ Travis Ulrich, Hayden Pest Control, Lewiston, Idaho, March 18, 2013

I issued a Notice of Inspection (**attachment # 4 a**), and Receipt for Samples (**attachment # 4 b**).

Although the mix/load was not observed, I obtained application records to complete an inspection of Hayden Pest Control. Travis Ulrich was very helpful and provided all needed information and records to complete the inspection – including copies of his invoice and maps of the application - **see attachment # 5**. I also photographed the application record sheet **see attachment # 6**.

I took **photographs** of product containers Travis used for the applications:

Two of the products are shown:

Esplanade 200SC	EPA Reg # 432-1516
Honcho Plus	EPA Reg # 524-454

The other product applied was:

Milestone	EPA Reg # 62719-519
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Travis Ulrich stated that he made the application to control weeds on Lapwai School District's field areas. He was very concerned about the complaint and asked about procedures to avoid this in the future.

I added that he could submit a statement and I would include it with my report to EPA Region 10. Travis Ulrich sent a statement via email on March 23, 2013 **see attachment # 7**.

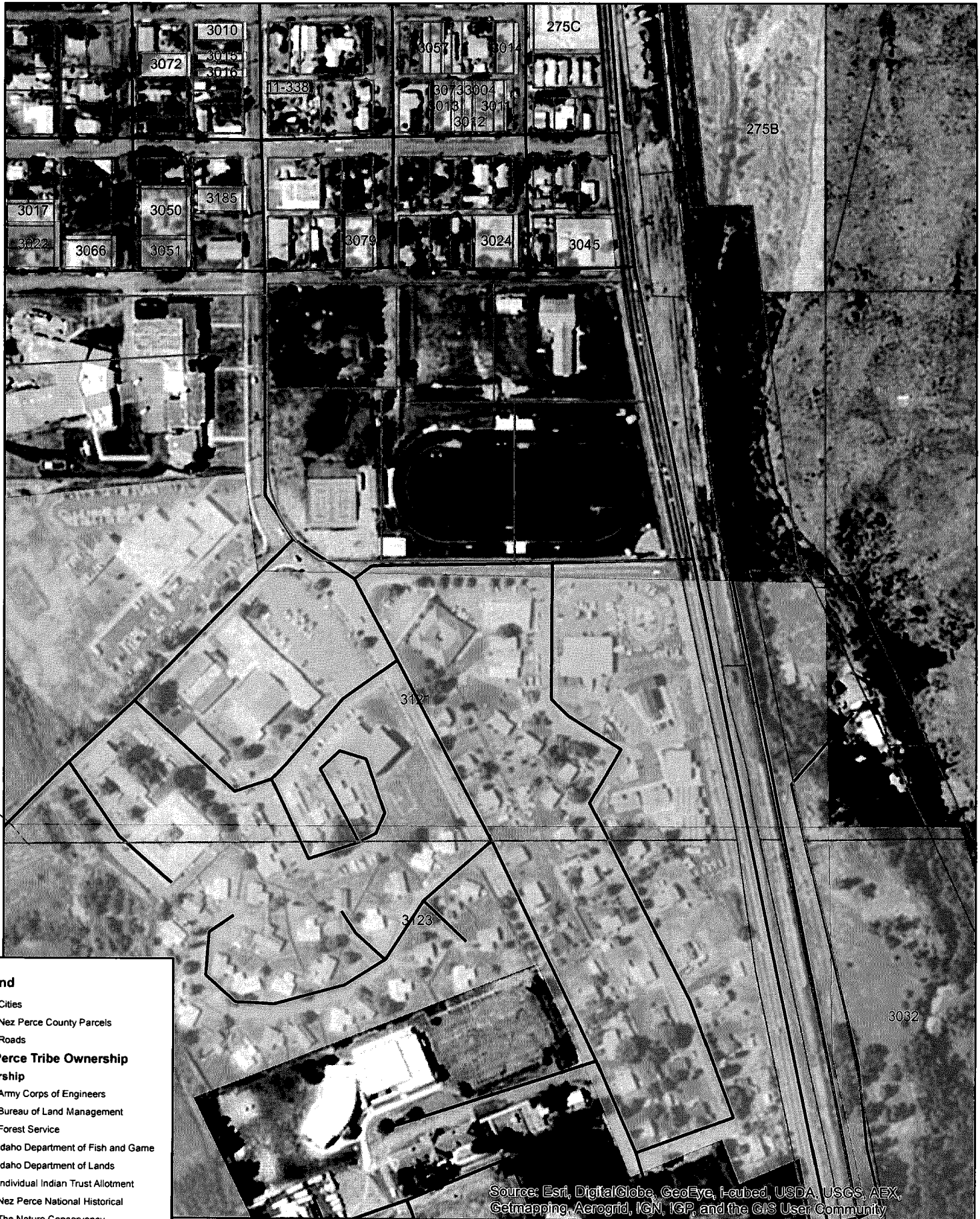
I took photographs of the Hayden Pest Control application equipment **see photographs**.

POST INSPECTION:

I advised Travis Ulrich that an inspection report would be submitted to Chad Schulze, Compliance Coordinator, at the Pesticides Unit - EPA Region 10 in Seattle, Washington, for case review, including enforcement action regarding potential violations discovered during the investigation.



Lapwai Track and Football Field



Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, and the GIS User Community

0 0 04 0 08 0 16 Miles

Eric Gjevre

From: Julie Simpson [julies@nezperce.org]
Sent: Wednesday, March 06, 2013 10:49 AM
To: Eric Gjevre
Cc: kenc@nezperce.org; kevinb@nezperce.org; Andrea Boyer; Mary Fauci; gabeb@nezperce.org
Subject: 3/1/13 Lapwai Spray Observation
Attachments: 1March2013.Lapwai.1.JPG; 1March2013.Lapwai.2.JPG; 1March2013 Lapwai Wind Data.pdf

Hello Eric,

Regarding our discussion last Friday, March 1, 2013 at around 12:55pm PST, here is the information about the spraying that took place on the Lapwai track that day.

As I arrived at the track for my noon walk at about 12:05-12:10pm, I noticed a man spraying the gravel area on the south side of the track. Present on the track were several NPT employees exercising on their noon hour and what looked to be the high school track team practicing (although there was no school in session that day). The track coach was advising her team members to workout on the side of the track opposite from the application taking place.

Attached are two photos taken that same Friday, March 1, 2013, of the spray truck used at the track. The company doing the spraying was Hayden Weed and Pest Control: http://haydenpest.com/pest_control.htm. I took both photos at about 12:10-12:15pm. When I took the photos, I was standing at Agency Street in Lapwai, ID, facing north/northeast, between the BIA building (behind me) and the school track (in front of me). While I took the photos, I could smell a chemical smell. In the photos, you can see the name of the company, and in one photo you can see the applicator. He may have been putting his equipment away at the time I took the photo.

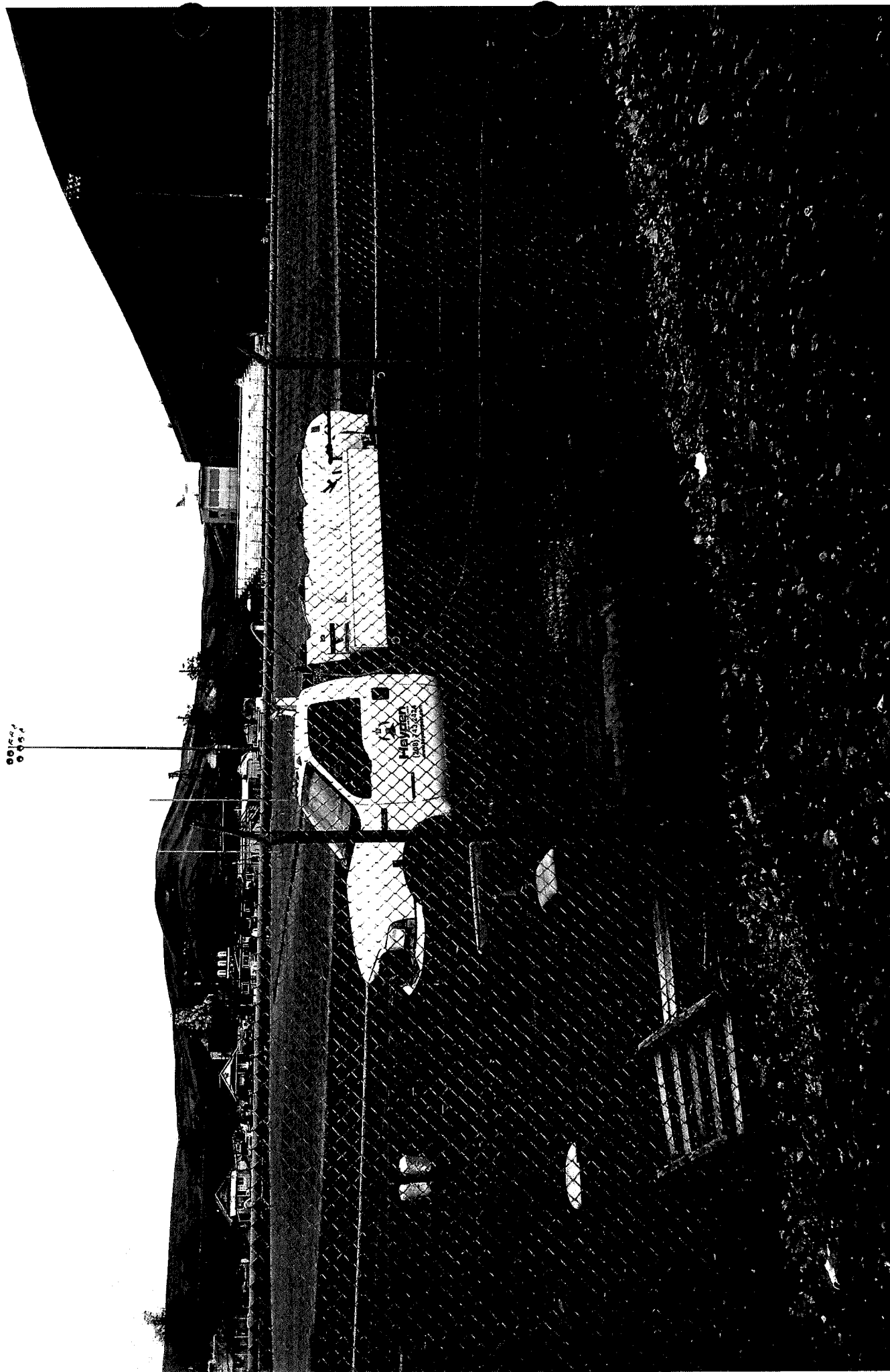
While I was on the track, and while I walked around to take the pictures, the wind was intermittently breezy, and northerly. Attached are the wind speed and wind direction data from our Lapwai monitor with the applicable time period highlighted in yellow. The data show that winds were northerly 3.9-7.4 mph.

If you could follow up to make sure there is not an issue here (even to clarify BMPs with the applicator if he was "on-label"), that would be appreciated.

Thank you,
Julie

Julie Simpson
Air Quality Program Coordinator
Environmental Restoration and Waste Management Division
Department of Natural Resources
Nez Perce Tribe
P.O. Box 365
109 Lolo St.
Lapwai, ID 83540
Office: 208-621-3818
Cell: 208-301-1166
Fax: 208-843-7411
julies@nezperce.org





Five-Minute Wind Data

CAMS 13, Region 10 - WA-OR-ID-AK

EPA Site: 16-069-0013

Site: Nez Perce Tribe Lapwai-ID

Times reported in Standard Time

Date	Time	61103_1	61104_1
		Wind Speed	Wind Direction
		mph	deg
3/1/2013	0:00	3.2	287.1
3/1/2013	0:05	4.2	322.6
3/1/2013	0:10	3.4	295.5
3/1/2013	0:15	4.8	322.6
3/1/2013	0:20	3.6	311.1
3/1/2013	0:25	4.4	311.3
3/1/2013	0:30	3.6	281.8
3/1/2013	0:35	3.8	319.8
3/1/2013	0:40	1.8	300.5
3/1/2013	0:45	3.4	317.8
3/1/2013	0:50	2.5	317.9
3/1/2013	0:55	1.7	283
3/1/2013	1:00	3.2	287.4
3/1/2013	1:05	3.6	289
3/1/2013	1:10	2	355.1
3/1/2013	1:15	1.5	288.3
3/1/2013	1:20	2	299
3/1/2013	1:25	4.5	307.7
3/1/2013	1:30	3.4	308.6
3/1/2013	1:35	2.6	302.2
3/1/2013	1:40	2.5	321.6
3/1/2013	1:45	1.8	307.1
3/1/2013	1:50	0.5	128.7
3/1/2013	1:55	1.4	257.3
3/1/2013	2:00	2.3	240.1
3/1/2013	2:05	2.1	247.2
3/1/2013	2:10	2.4	230
3/1/2013	2:15	1	214.7
3/1/2013	2:20	1.1	143.7
3/1/2013	2:25	1.5	168.7
3/1/2013	2:30	0.9	196.7
3/1/2013	2:35	0.6	280.6
3/1/2013	2:40	1.7	283.9
3/1/2013	2:45	1.2	292.5
3/1/2013	2:50	2.1	264.4
3/1/2013	2:55	1.1	271.9

3/1/2013	3:00	0.9	316.4
3/1/2013	3:05	1.4	270.9
3/1/2013	3:10	1.2	253
3/1/2013	3:15	0.8	283
3/1/2013	3:20	2.3	297.5
3/1/2013	3:25	2.3	320.2
3/1/2013	3:30	2.9	278.2
3/1/2013	3:35	3.5	300.3
3/1/2013	3:40	3.3	290.2
3/1/2013	3:45	3.6	297.7
3/1/2013	3:50	3.2	289.7
3/1/2013	3:55	2.5	283.6
3/1/2013	4:00	4.3	297.8
3/1/2013	4:05	4.8	318
3/1/2013	4:10	3.1	323.1
3/1/2013	4:15	2.7	301.5
3/1/2013	4:20	3.3	313.5
3/1/2013	4:25	4	321.1
3/1/2013	4:30	4.6	294.9
3/1/2013	4:35	3.6	283.3
3/1/2013	4:40	3.4	282.7
3/1/2013	4:45	3.9	274.1
3/1/2013	4:50	3.7	315.9
3/1/2013	4:55	1.8	303.8
3/1/2013	5:00	2.5	280.3
3/1/2013	5:05	2.4	281
3/1/2013	5:10	1.1	231
3/1/2013	5:15	1	110.7
3/1/2013	5:20	0.4	144.9
3/1/2013	5:25	1	185.8
3/1/2013	5:30	1.7	163.6
3/1/2013	5:35	4	151.7
3/1/2013	5:40	5.5	153.8
3/1/2013	5:45	3.8	139.8
3/1/2013	5:50	4	140.2
3/1/2013	5:55	3.3	140.6
3/1/2013	6:00	3.1	122.8
3/1/2013	6:05	3	157.2
3/1/2013	6:10	2.9	171.1
3/1/2013	6:15	2.3	185.6
3/1/2013	6:20	1.4	211.4
3/1/2013	6:25	1.6	228.1
3/1/2013	6:30	1.7	282.9
3/1/2013	6:35	1.4	310.1
3/1/2013	6:40	3.4	242
3/1/2013	6:45	1	298
3/1/2013	6:50	0.5	19.4

3/1/2013	6:55	0.5	5.6
3/1/2013	7:00	0.5	71.6
3/1/2013	7:05	1.2	184.7
3/1/2013	7:10	1.7	214.7
3/1/2013	7:15	1.4	167.5
3/1/2013	7:20	1.1	132.2
3/1/2013	7:25	1.6	165.2
3/1/2013	7:30	2.1	92.9
3/1/2013	7:35	2.6	101.9
3/1/2013	7:40	3.2	129.3
3/1/2013	7:45	3.6	117.7
3/1/2013	7:50	0.8	176.7
3/1/2013	7:55	1.5	108.5
3/1/2013	8:00	1.1	182.4
3/1/2013	8:05	3.3	251.6
3/1/2013	8:10	2.8	275.1
3/1/2013	8:15	2.2	308.8
3/1/2013	8:20	2.2	305
3/1/2013	8:25	1.5	1.3
3/1/2013	8:30	3	347.8
3/1/2013	8:35	2.6	327
3/1/2013	8:40	2.4	321
3/1/2013	8:45	4.3	317.4
3/1/2013	8:50	5	325
3/1/2013	8:55	3.7	335.6
3/1/2013	9:00	5.3	337.7
3/1/2013	9:05	4.9	332.4
3/1/2013	9:10	3.3	340
3/1/2013	9:15	3.8	327.3
3/1/2013	9:20	2.7	11.9
3/1/2013	9:25	2.9	344.4
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3/1/2013	9:35	5.6	331.3
3/1/2013	9:40	3.7	344.7
3/1/2013	9:45	4.5	337.5
3/1/2013	9:50	5.9	327.8
3/1/2013	9:55	4.5	337.7
3/1/2013	10:00	4.7	337
3/1/2013	10:05	4.8	343.9
3/1/2013	10:10	6.5	335.9
3/1/2013	10:15	5.8	340.8
3/1/2013	10:20	5.6	347.2
3/1/2013	10:25	6.1	339.8
3/1/2013	10:30	5.8	332.6
3/1/2013	10:35	6.4	340.4
3/1/2013	10:40	4.2	335.8
3/1/2013	10:45	5.8	339

3/1/2013	10:50	6	337.1
3/1/2013	10:55	5.1	335.2
3/1/2013	11:00	3.7	355.9
3/1/2013	11:05	6	339.7
3/1/2013	11:10	5.9	351.4
3/1/2013	11:15	4.4	338.4
3/1/2013	11:20	5.3	346
3/1/2013	11:25	6	338.5
3/1/2013	11:30	5.6	342.2
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3/1/2013	11:55	4.5	337.2
3/1/2013	12:00	3.9	4.3
3/1/2013	12:05	4.6	350.6
3/1/2013	12:10	6	3.9
3/1/2013	12:15	7.4	356.9
3/1/2013	12:20	5.8	336
3/1/2013	12:25	7.3	359.9
3/1/2013	12:30	8.3	348.9
3/1/2013	12:35	7.5	345.7
3/1/2013	12:40	8.3	332.2
3/1/2013	12:45	9.4	339.1
3/1/2013	12:50	7.1	322
3/1/2013	12:55	6.9	326.9
3/1/2013	13:00	5.3	317.2
3/1/2013	13:05	5.7	313.4
3/1/2013	13:10	4.6	329.8
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3/1/2013	14:00	6.9	196.2
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3/1/2013	15:00	6.7	191.6
3/1/2013	15:05	6	192.3
3/1/2013	15:10	5.5	190.5

3/1/2013	15:15	5.5	187.9
3/1/2013	15:20	7.2	185.2
3/1/2013	15:25	5.4	188.5
3/1/2013	15:30	4.5	185.5
3/1/2013	15:35	1.7	190
3/1/2013	15:40	1.1	70.5
3/1/2013	15:45	3.5	5.5
3/1/2013	15:50	5.1	357.8
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3/1/2013	16:10	6.9	350.6
3/1/2013	16:15	6.4	343.3
3/1/2013	16:20	5	322.2
3/1/2013	16:25	7.4	299.7
3/1/2013	16:30	7.3	326.4
3/1/2013	16:35	6.5	322
3/1/2013	16:40	6.6	334.5
3/1/2013	16:45	5.8	337.8
3/1/2013	16:50	6.3	329.2
3/1/2013	16:55	6.4	344.8
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3/1/2013	17:20	3.2	337.6
3/1/2013	17:25	3.3	316.1
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3/1/2013	17:35	2.8	324
3/1/2013	17:40	3	306.9
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3/1/2013	18:10	2.8	269.9
3/1/2013	18:15	4.7	307.7
3/1/2013	18:20	5.2	322
3/1/2013	18:25	2.3	292.6
3/1/2013	18:30	1.6	309.4
3/1/2013	18:35	1.3	3.3
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3/1/2013	18:45	0.7	56.2
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3/1/2013	18:55	0.8	111.5
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3/1/2013	19:05	2.9	159.8

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3/1/2013	19:20	4.3	157.2
3/1/2013	19:25	3.7	151.7
3/1/2013	19:30	3.1	167.1
3/1/2013	19:35	3.7	156.5
3/1/2013	19:40	4.8	143.5
3/1/2013	19:45	2.7	149.6
3/1/2013	19:50	2.3	126.7
3/1/2013	19:55	2.5	165.2
3/1/2013	20:00	3.7	175.3
3/1/2013	20:05	4.1	168.9
3/1/2013	20:10	3.4	145.9
3/1/2013	20:15	3.8	148.9
3/1/2013	20:20	3.6	149.6
3/1/2013	20:25	2.3	149.6
3/1/2013	20:30	2.7	153.7
3/1/2013	20:35	4.1	148.7
3/1/2013	20:40	4.3	145.8
3/1/2013	20:45	3.7	155.6
3/1/2013	20:50	4	154.7
3/1/2013	20:55	4.8	140.2
3/1/2013	21:00	6.3	156.2
3/1/2013	21:05	5.7	146.4
3/1/2013	21:10	3.4	142.1
3/1/2013	21:15	3.4	145.8
3/1/2013	21:20	1.5	161.2
3/1/2013	21:25	2	174.9
3/1/2013	21:30	2	127.5
3/1/2013	21:35	2.6	142.8
3/1/2013	21:40	3.7	161.3
3/1/2013	21:45	1.8	138
3/1/2013	21:50	2.1	156.1
3/1/2013	21:55	2.1	184.3
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3/1/2013	22:20	1.4	246.9
3/1/2013	22:25	2.3	293.8
3/1/2013	22:30	2.7	296.4
3/1/2013	22:35	2.3	294.5
3/1/2013	22:40	2.7	150.2
3/1/2013	22:45	1.9	158.7
3/1/2013	22:50	1.3	178.7
3/1/2013	22:55	4	142.9
3/1/2013	23:00	3.3	152.3

3/1/2013	23:05	2.6	172.9
3/1/2013	23:10	2.5	201.6
3/1/2013	23:15	2.8	262.3
3/1/2013	23:20	2.8	242.7
3/1/2013	23:25	0.3	36.4
3/1/2013	23:30	2	198.5
3/1/2013	23:35	1.2	133.9
3/1/2013	23:40	1.3	149.1
3/1/2013	23:45	0.9	174.3
3/1/2013	23:50	1.8	146.1
3/1/2013	23:55	2.8	147.1



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PESTICIDE
USE/MISUSE INSPECTION

ADDRESS (EPA Regional Office)

Nez Perce Reservation

EPA Region 10 Seattle, WA

DATE

3-18-13

HOUR

5:30

A.M.
P.M.

NAME OF INDIVIDUAL

Travis Ulrich

TITLE

Owner

NAME (Firm, Farmer, Homeowner, etc.)

Hayden Pest Control

ADDRESS (Number, Street, City, State, and ZIP Code)

3306 12th St.
Lewiston, ID 83501

REASON FOR INSPECTION

FOR THE PURPOSE OF INSPECTING SITES WHERE PESTICIDES ARE BEING USED TO COLLECT DATA ON THE USE OF PESTICIDES AND TO DETERMINE WHETHER PESTICIDES ARE BEING USED IN COMPLIANCE WITH THE FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT; AND FOR THE PURPOSE OF INSPECTING SITES WHERE PESTICIDES HAVE BEEN USED TO DETERMINE WHETHER THE PESTICIDES WERE USED IN COMPLIANCE WITH THE FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT.

VIOLATION SUSPECTED:

Complaint call follow up

CONSENT



Voluntary Consent Necessary to Enter for Inspection and/or Sampling

The undersigned hereby voluntarily consents to an inspection of Lapwai School District football field, of which I am Owner, Agent or Person-In-Charge, for the purposes of gathering information and/or samples in connection with the administration and enforcement of FIFRA. I understand that I have the right to refuse consent to this entry.

SIGNATURE

T. Ulrich

TITLE

Owner

DATE

3/18/2013



U. S. ENVIRONMENTAL PROTECTION AGENCY

RECEIPT FOR PESTICIDE
USE/MISUSE SAMPLES

ADDRESS (EPA Regional Office)

EPA Region 10 Seattle, WA

DATE

3-18-13

NAME OF INDIVIDUAL

Trans Ulrich

TITLE

Owner

NAME (Firm, Farmer, Homeowner, etc)

Hayden Pest Control

ADDRESS (Street, City, State, and ZIP code)

3306 12th St
Lewiston, ID 83501

SAMPLE NUMBERS

SAMPLES COLLECTED (Describe fully, List Registration, Lot, Batch, Model, Serial Numbers and other positive identification.)

The following pesticide and/or environmental samples were collected by the U.S. Environmental Protection Agency in connection with the administration and enforcement of the Federal Insecticide, Fungicide, and Rodenticide Act and receipt is hereby acknowledged.

Hayden Pest Control Quote # 1
" " " field maps (2 sheets)
" " " application record

SIGNATURE (Owner, Operator, or Agent)

T. M.

TITLE (Owner, Operator, or Agent)

Owner

☐ DUPLICATE SAMPLES
REQUESTED AND PROVIDED☒ DUPLICATE SAMPLES
NOT REQUESTED

SAMPLES WERE

☐ PURCHASED ☒ RECEIVED, NO CHARGE ☐ BORROWED

AMOUNT PAID FOR SAMPLES

☐ CASH☐ VOUCHER☐ TO BE BILLED

NAME OF COLLECTOR (Print or Type)

ERIC GJEVRE

TITLE OF COLLECTOR

EPA Inspector # 2627

SIGNATURE OF COLLECTOR

Eric Gjevre



Hayden
Weed and Pest Control

Hayden Pest Control, LLC
P.O. Box 1921
Lewiston, ID 83501
info@haydenpest.com

208-743-2424
www.haydenpest.com

Quote for Service

TO: Alan White
Lapwai School District

Date: 2/25/2013

Quote Number: 1

Expiration Date:

Prepared By: Travis Ulrich (50974)

Service	Description	Estimated Cost
1) Gravel Sterilant	Sterilize gravel areas at church, football field, road edges, tennis court, highschool, and elementary school. ~8.2ac. Feb-Mar	\$2,413
	See areas on attached map (highlighted in red)	

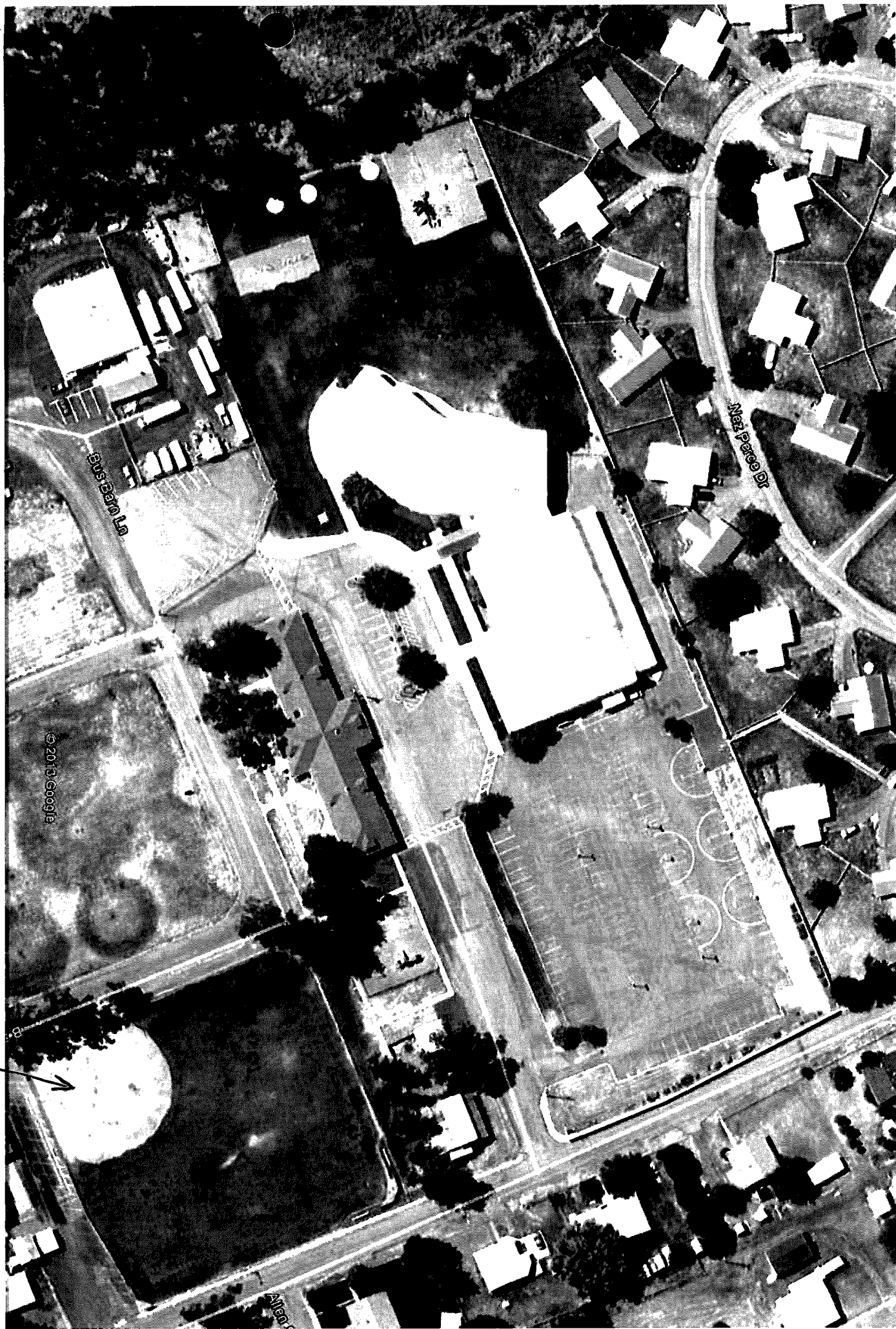
Technician Notes: See Below

TOTAL: \$2,413

Guarantee:

Cost includes sterilizing all gravel areas using chemical combinations applicable to the area being treated (i.e.- safe chemicals around trees and turf). Some weeds will inevitably make it through the chemical. The cost to spot spray weeds in gravel areas following sterilant application is included.





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TAKA 3/1/13

© 2013 Google

Having photo printing problems

Please see attached
ad for electronic
version of application
record

E.B.

Eric Gjevre

From: Hayden Pest Control [info@haydenpest.com]
Sent: Saturday, March 23, 2013 8:57 PM
To: Eric Gjevre
Subject: Statement for complaint
Attachments: statement for EPA.pdf

Hi Eric,

Attached is my statement regarding the complaint from Ms. Simpson down in Lapwai. Please let me know when you have received this - my email address sometimes gets blocked by spam filters. Thank you!

Sincerely,

Travis Ulrich, M.S.
Owner/Entomologist
Hayden Pest Control
208.743.2424
www.haydenpest.com



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This is my statement in response to the complaint filed against myself and my company on March 1st, 2013 at the Lapwai Football field and Track at approximately 12:00P.M.

At the time of the complaint, I would have been around the south-west side of the gravel area of the football field using the 4mm Udon turbo gun at about 50-60psi, applying at a rate of 100gallons of mix per one acre. The wind was approximately 4-6mph from the north.

It is my understanding that the complaint was for an odor, and having to move track practice to a different part of the track. Earlier that day, before the track team had arrived, I had sprayed approximately 4.25 acres which encompassed the north side of the track, and the whole church parking lot directly to the north (Area D, North of track). The Northerly wind would have carried the faint, but distinct smell to the south towards the track, which is where the complaint was based. The odor is harmless and should not warrant a complaint to the EPA. However, given the credentials of the person filing the complaint (Air Quality Superintendent), I can understand why they may have been concerned.

The track team arrived shortly before I finished my application. They spent most of the time sitting on the bench near the restrooms (point A) to the west of the track, and approximately 50-150ft away from where I was treating in the gravel (Green Highlighted Area). Reference the distance from point A to where the truck is parked at point B via the box in the lower right corner. Since I was downwind, I considered the treatment to be safe, and continued. The track team then proceeded to stand around on the west side of the track for a few minutes, before moving to the northeast side (area C), which I appreciated. I finished my treatment shortly after they moved (Blue Highlighted Area), and proceeded on to the next location, which was the high school.

According to the labels of the chemicals applied at that time (Esplanade 200SC, Milestone VM, Honcho Plus, Grounded Surfactant), people may not enter the treated areas until they are dry. No one was around when I treated the north side of the field early in the morning – it was dry long before anyone arrived, and everyone stayed away from the south side that I was treating on, so I am in compliance with the label. There were a few noon runners who also stayed well away from where I was treating on the south side. The labels also state to not apply in a manner that will contact people with the spray, or drift. Where I was downwind, and people were not in the treatment area, there was no way that others were in contact with the spray or drift. Therefore, I am in compliance with that as well.

I try very hard to make my applications in a manner that is both safe to the public, but also allows the public to go about their everyday business. While I could simply block off all the entrances to the track and state that no one is allowed to enter for 24 hours, this would be a poor decision on my part as it would cause frustration, hard feelings, and lead to a poor relationship with the public since they are not able to complete their daily

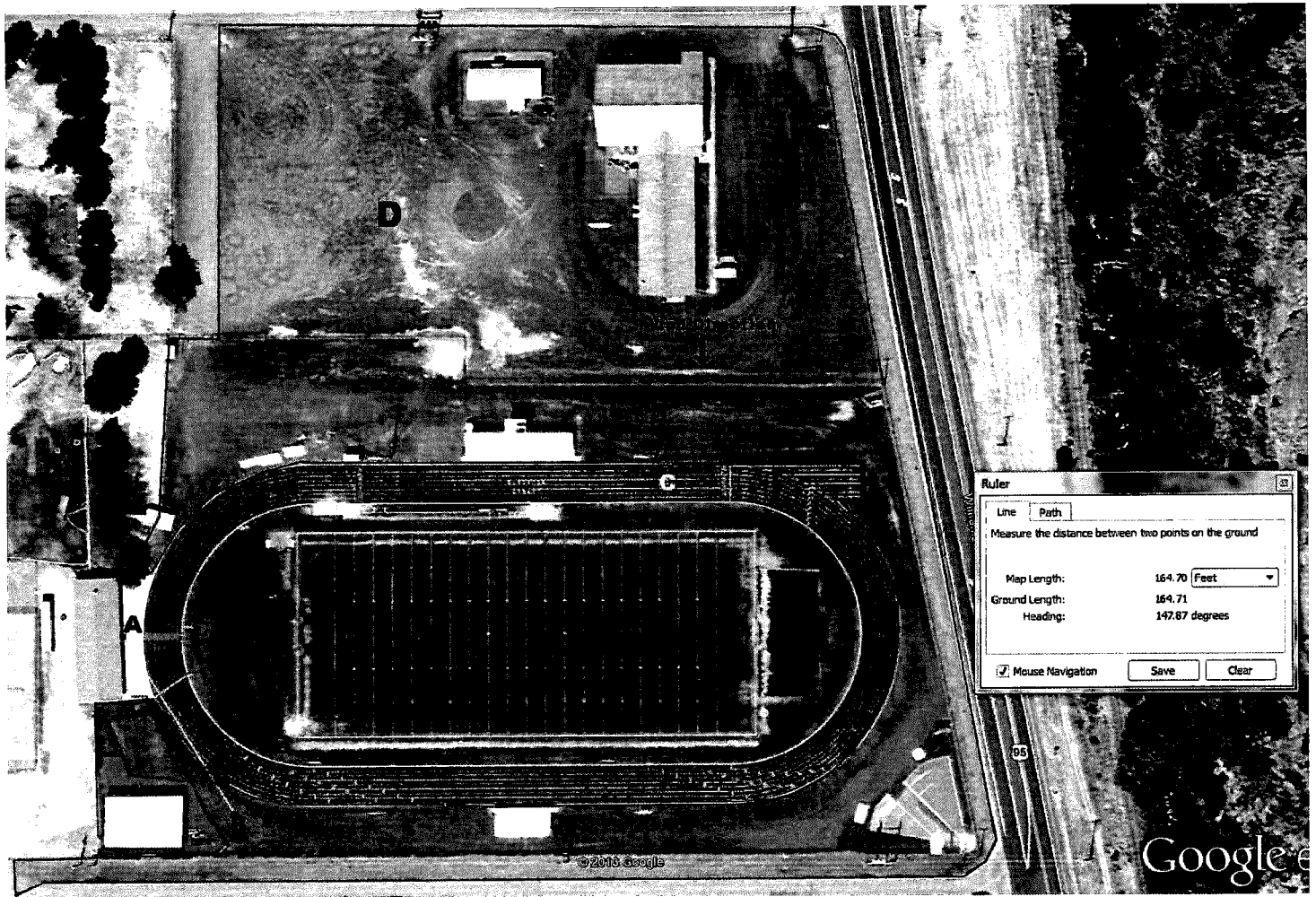
routine. I would probably receive many complaints with this approach. Instead, I allow the public to go about their daily walking/running routine, and treat in a way to negate any risk of exposure to them. I am very approachable, and the public frequently flags me down to ask about what I am treating, what chemicals I use, how safe it is, why I wear a mask, and other various questions. Generally, those who approach me leave satisfied and content with my efforts to keep their choice exercise area free of weeds while also making a sincere effort to protect their well-being. Had the complainant taken the time to approach me and ask any questions as opposed to just taking photographs and filing a complaint, I am sure that she, if she is not biased, would have also felt better about my application.

Following notification that I had a complaint file against me, I made an attempt to contact the complainant in an effort to coordinate. I do frequent treatments for the Lapwai School District, and want to be able to notify her of when and where I will be treating ahead of time, along with what I will be treating with and what kind of smell she can expect. Where she is the Air Quality Superintendent, I believe this is an appropriate approach to rectifying the current situation, while also preventing future complaints. I have yet to receive a response from her.

I spoke with Eric Gjevre of the EPA and Chuck Hawley of the ISDA extensively concerning the complaint. After my discussions with them, I believe that I went about my treatment in the best way possible. Thank you.

Sincerely,

Travis Ulrich
Owner, Entomologist
Hayden Pest Control, LLC



Ruler

Line Path

Measure the distance between two points on the ground

Map Length: 164.70 Feet

Ground Length: 164.71

Heading: 147.87 degrees

☒ Mouse Navigation

Save Clear



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10

1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

JUN 26 2013

OFFICE OF
COMPLIANCE AND ENFORCEMENT

Reply To: OCE-084

Travis Ulrich
Hayden Pest Control
P.O. Box 1921
Lewiston, Idaho 83501

Re: Compliance Inspection

Dear Mr. Ulrich:

On March 18, 2013, the Tribal Pesticide Circuit Rider Program (Circuit Rider) interviewed you about your pesticide application practices at the Lapwai track and football field, which is located within the boundaries of the Nez Perce Reservation. The Circuit Rider referred the report to the U.S. Environmental Protection Agency Region 10 (EPA) to review your compliance with the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA). We have completed our review of the March 18, 2013, Circuit Rider inspection. Based on the information obtained during the inspection, we did not identify any violations.

If you have any questions regarding this matter, please contact Derrick Terada of my staff at (206) 553-4768 or terada.derrick@epa.gov.

Sincerely,

Kelly McFadden for KM

Kelly McFadden, Manager
Pesticides and Toxics Unit

cc w/enc: Eric Gjevre
Tribal Pesticide Circuit Rider Program
(Case Number NEZ13FOL01)

cc: Julie Simpson
Nez Perce Tribe

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CONCURRENCES						
Initials:	DT	CS				
Name:	Terada	Schulze				
Date:	6/24/13	6/25/13				